

IN PARLIAMENT  
HOUSE OF COMMONS  
SESSION 2013-14

HIGH SPEED RAIL (LONDON – WEST MIDLANDS) BILL

P E T I T I O N

Against the Bill – Praying to be heard by counsel, &c.

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TO THE HONOURABLE THE COMMONS OF THE UNITED KINGDOM OF GREAT BRITAIN  
AND NORTHERN IRELAND IN PARLIAMENT ASSEMBLED.

THE HUMBLE PETITION OF SIMON ASHCROFT

SHEWETH as follows:

1. A Bill (hereinafter called "the Bill") has been introduced into and is now pending in your honourable House intituled "A Bill to Make provision for a railway between Euston in London and a junction with the West Coast Main Line at Handsacre in Staffordshire, with a spur from Old Oak Common in the London Borough of Hammersmith and Fulham to a junction with the Channel Tunnel Rail Link at York Way in the London Borough of Islington and a spur from Water Orton in Warwickshire to Curzon Street in Birmingham; and for connected purposes".
2. The Bill is presented by Mr Secretary McLoughlin, supported by the Prime Minister, the Deputy Prime Minister, Mr Chancellor of the Exchequer, Secretary Theresa May, Secretary Vince Cable, Secretary Iain Duncan Smith, Secretary Eric Pickles, Secretary Owen Paterson, Secretary Edward Davey, and Mr Robert Goodwill.
3. Clauses 1 to 36 set out the Bill's objectives in relation to the construction and operation of the railway mentioned in paragraph 1 above. They include provision for the construction of works, highways and road traffic matters, the compulsory acquisition of land and other provisions relating to the use of land, planning permission, heritage issues, trees and noise. They include clauses which would disapply and modify various enactments relating to special categories of land including burial grounds, consecrated land, commons and open spaces, and other

matters, including overhead lines, water, building regulations and party walls, street works and the use of lorries.

4. Clauses 37 to 42 of the Bill deal with the regulatory regime for the railway.
5. Clauses 43 to 65 of the Bill set out a number of miscellaneous and general provisions, including provision for the appointment of a nominated undertaker ("the Nominated Undertaker") to exercise the powers under the Bill, transfer schemes, provisions relating to statutory undertakers and the Crown, provision about the compulsory acquisition of land for regeneration, reinstatement works and provision about further high speed railway works. Provision is also made about the application of Environmental Impact Assessment Regulations.
6. The works proposed to be authorised by the Bill ("Phase One of HS2") are specified in clauses 1 and 2 of and Schedules 1 and 2 to the Bill. They consist of scheduled works, which are described in Schedule 1 to the Bill and other works, which are described in clause 2 of and Schedules 2 and 3 to the Bill.
7. Your Petitioner is Simon Ashcroft, a private landowner with interests in the area around the proposed HS2 station.
8. Your Petitioner alleges that their interests in the area would be injuriously and prejudicially affected by the provisions of the Bill if passed into law in their present form and they accordingly object to the Bill for the reasons, amongst others, hereinafter appearing.

### **Introduction**

9. The Bill makes provision for a number of works to be constructed in your Petitioners' area, but by far the most significant aspect is the proposal for an interchange station at Old Oak Common ("the Station"), which will serve HS2, Crossrail and the West Coast Mainline. As the Environmental Statement ("the ES") deposited with the Bill says, the triangular site for the station is bordered by Old Oak Common Lane and Wells House Road to the west, the Great Western Mainline tracks and North Pole depot to the south and the future Crossrail depot, pending construction, to the north.
10. Your Petitioner supports the construction of the Station in principle. It provides a unique opportunity to harness the benefit to your Petitioners' interests of the regeneration of the Old Oak Common area. However, your Petitioner has concerns that that opportunity will not be exploited to the full if the Bill is allowed to pass into law in its current form.

## **Part 1: Site specific concerns**

### **London Overground Connection**

11. Your Petitioner is concerned that the Bill contains no provision for a connection to the London Overground at Old Oak Common. The North London Line runs on a railway corridor adjacent to the western edge of the Station site and the West London Line runs to the east of the Station site and both lines connect to the north at Willesden Junction station.
12. In order to facilitate regeneration in a manner consistent with the Mayor of London's Transport Strategy, transport connections must be provided at all levels, ranging from international to local. The current HS2 proposals would facilitate excellent international, national and regional connections, but would be lacking in sub-regional and local links. A London Overground connection would ensure that Old Oak Common is accessible to all five of these key markets, helping to ensure the full regeneration of the area is achievable.
13. A new London Overground connecting station at Old Oak Common would, in your Petitioners' submission, also result in the following benefits:
  - (a) reduction in overcrowding at Euston by providing additional connections for HS2 passengers at Old Oak Common;
  - (b) putting locations along the West London Line and North London Line in contact with a much greater jobs market, providing greater employment accessibility for residents and greater employee accessibility for businesses;
  - (c) helping to relieve pressure on the local highway network by providing public transport connections to the local area;
  - (d) providing benefits in the wider area, including additional homes and jobs and generating additional Gross Value Added to the UK economy.
14. Your Petitioner requests your honourable House to amend the Bill so that it provides for an interchange station at Old Oak Common on the London Overground, serving both the North London Line and the West London Line.

### **Strategic road connections**

15. The ES explains (Volume 2: Community Forum Area Report 4: Paragraph 2.3.24) that road access to the Station will be from entrances on Old Oak Common Lane to the west. It says that traffic will access and exit the station at two points to the north-west of the station and to the south of the station, close to the site access to the existing rail depots. Internal roads will provide access for buses, taxis, cars dropping-off

passengers and emergency vehicles. They will also connect to the staff and short-term parking areas.

16. Your Petitioner considers that the proposals for highway improvements at and around the Station are inadequate. In your Petitioners' submission, those proposed improvements are unsuitable for the purpose of serving the Station, and unless additional provision for road access is made, existing free capacity in the surrounding road network will be used up, prejudicing opportunities for further development and regeneration being brought forward in the area.
17. Having only access from the HS2 station to the west onto Old Oak Common Lane will add unacceptable pressure to the A40 junctions in the local area. Those junctions are already operating close to capacity. In your Petitioners' submission, further access points to the Station are required to help distribute traffic associated with the Station across the highway network. It is therefore considered essential by your Petitioner that an alternative access should be provided to the station from the east, through the provision of a vehicular bridge over the Grand Union Canal that would connect to Hythe Road and on to Scrubs Lane.
18. Transport for London have undertaken a study exploring the merits of an eastern connection to Scrubs Lane from the new station at Old Oak Common. Initial modelling suggests that around a third of all road trips heading to and from the Station would be via an alternative eastern link, relieving pressure on Old Oak Common Lane and routes to the west. There would be little disbenefit to Scrubs Lane as the Hythe Road/ Scrubs Lane junction has capacity for this additional traffic.
19. As well as relieving congestion, an eastern station access would provide a direct connection to 35 hectares of land to the north of the Grand Union Canal which your Petitioner proposes to redevelop. This connection would dramatically improve the development potential in the area and act as a catalyst for wider regeneration.
20. An initial review of HS2 Limited's Transport Study suggests that significant delays will occur at key junctions as a result of the Station proposals. This emphasises the importance of increasing the permeability of the area through the creation of new connections and improving a number of existing junctions. Further improvements are likely to be required to accommodate the number of trips anticipated to be generated by the proposed redevelopment of the Station site. Your Petitioner considers that the Bill's Promoters should fund highway interventions to mitigate any congestion that will be caused as a result of the construction of the Station.
21. Your Petitioners respectfully request your honourable House to amend the Bill so that it includes a vehicular road access to the east of the Station crossing over the Grand Union Canal and linking to Scrubs Lane, and that the road must be completed before the Station opens for public traffic. Your Petitioner also requests your honourable

House to require the Secretary of State or HS2 Limited to fund further reasonable highway improvements in the area, should they be recommended following further traffic studies conducted by your Petitioner, Transport for London and other responsible bodies.

#### **Early delivery of Old Oak Common Crossrail Station**

22. It is envisaged that both elements of the Station (HS2 and Crossrail/Great Western Main Line station) would open at the same time, currently programmed to be in 2026. Your Petitioner wishes to see regeneration at Old Oak Common taking place at the earliest opportunity and for that reason are of the view that the construction of the Crossrail and Great Western Main Line elements of the Station should be brought forward, if it is possible.
23. Doing so would, in your Petitioners' respectful submission, also help to reduce any risk of delay in the delivery of HS2 unnecessarily holding up the opening of the Old Oak Common station for Crossrail and Great Western Main Line passengers. HS2 Limited's own Transport Assessment, contained in the ES, shows that large numbers of passengers will transfer between Crossrail and the Great Western main line at Old Oak Common, which adds weight to the case for early construction of the Crossrail station.
24. Your Petitioner respectfully requests your honourable House to require the Secretary of State and HS2 Limited to bring forward the early delivery of the Crossrail and Great Western Main Line elements of the Station ahead of HS2.

#### **Removal of compensatory wetland habitat proposed at Wormwood Scrubs**

25. The ES identifies (Volume 2: Community Forum Area Report 4: Paragraph 7.4.19), a significant area of land in the south of Wormwood Scrubs Common as a "compensatory area of new wetland planting". The proposal appears to be included in order to provide mitigation for significant ecological effects from elsewhere along the HS2 construction corridor. Wormwood Scrubs Common is in the ownership, and under the control of, Hammersmith and Fulham . Your Petitioner concurs with the Council's objectives for the area at this time.
26. The creation of a wetland habitat would result in loss of valuable recreational space at one of the most well used sections of Wormwood Scrubs adjacent to its two largest car parks. It would act as a barrier to users who access the Scrubs from Hammersmith Hospital and the south and would make it more difficult to access the numerous recreational activities that operate in this area of the Scrubs, including baseball, football, weekend park runs and cross country running and would cut them off from the facilities in the Linford Christie Stadium.

27. Furthermore, the area that is intended to be replaced already contains important species and habitat which would be lost if replaced with the proposed compensatory wetland area. The mitigation measures proposed are inadequate, because they would not provide a new area of habitat at all but instead impose a new wetland area on Scrubs land that is already ecologically rich and well used for recreation.
28. In the event that a satisfactory agreement is not reached between Hammersmith and Fulham Council and the Bill's promoters, your Petitioner respectfully requests your honourable House to amend the Bill so as to remove plots 77 and 78 from the Bill limits and to require the Promoters of the Bill to refrain from using any area of the scrubs for any purpose unless they have the agreement of your Hammersmith and Fulham Council.

#### **Temporary closure of Old Oak Common Lane**

29. The ES explains (Volume 2: Community Forum Area Report 4: Paragraph 12.4.18) that the Bill will authorise the full closure of Old Oak Common Lane for up to 12 months, with a 3.5km diversion for general traffic and 3.5km diversion for bus 228. The main reason for the closure of Old Oak Common Lane appears to be for the progressive demolition and reconstruction of the Old Oak Common Lane bridges under the West Coast Main Line (Volume 2: Community Forum Area Report 4: Paragraphs 2.3.26 and 2.3.27) so as to facilitate construction and operation of the Great Western Main Line Old Oak Common Station, and to allow double deck buses under it.
30. Your Petitioner is very concerned about the closure of Old Oak Common Lane for such a long period. It would severely disrupt traffic and cause major disruption to local residents and businesses, and potentially delay the implementation of the regeneration of the wider area. Your Petitioner believes that alternative methods of construction should be considered which would not require a complete closure for such a length of time, for example by providing a temporary road surface and excavating from underneath, or allowing for alternate one-way traffic while the road is excavated. Your Petitioner asks your honourable House to require the Promoters to adopt the one that best meets your Petitioners' concerns.
31. For pedestrians and cyclists, the proposed diversion would be unacceptable and at the very least, consideration should be given to providing alternatives such as temporary footbridges over the railway tracks. Another possibility could be the provision of pedestrian and cycle subways alongside the existing bridges, as is proposed at Victoria Road. Your Petitioner invites your honourable House to explore options for alternative, more effective, temporary access arrangements and make requirements of the Bill's promoters accordingly.

### **Link to North Acton underground station**

32. North Acton underground station is on the Central Line and is located approximately 700 metres from the proposed Old Oak Common Station as the crow flies. Under the existing proposals, the distance that would need to be travelled by pedestrians and cyclists between the two stations would be approximately 1700m, using existing roads.
33. Your Petitioner fears that without a dedicated pedestrian and cycle link being implemented at an early stage the new Station will become overly dependent on access by private car, which will limit access and connectivity to the wider area.
34. Your Petitioner is of the view that enhanced local walking and cycle links are required in order to access the Station generally. A dedicated link for pedestrians and cyclists would allow direct access between the Central line and the new Station, allowing (if the suggestions requested by your Petitioner elsewhere in this petition in relation to connections to the Overground are adopted) better connectivity for Central Line passengers to HS2, Crossrail and London Overground services and vice versa.
35. Your Petitioner therefore requests that your honourable House amend the Bill so that a dedicated pedestrian and cycle link of the type described above is provided as part of the main works authorised by the Bill.

### **Crossrail spur to West Coast Main Line**

36. Passenger volumes at Euston station are forecast to increase substantially once Phase One of HS2 comes into operation, and more so when Phase Two follows. Therefore, options for relieving Euston Station should, in your Petitioners' submission be considered.
37. In common with others, your Petitioner supports the proposal for the construction of a spur from Crossrail to the West Coast Main Line. That would have the effect of enabling passengers on the West Coast Main Line to take trains directly into central London, without changing at Euston, or indeed at Old Oak Common. In turn, that would result in a reduction in the number of trains arriving at and departing from Euston and a reduction in passenger congestion at Euston, freeing up platform capacity. Further economic benefits would be attained because the proposed spur would connect to stations at Wembley, Harrow and Watford, improving accessibility to a wider labour market.
38. Carrying out these works as part of Phase One of HS2 would avoid returning at a later date to undertake substantially more expensive works and a longer period of disruption to services in the Old Oak Common area, particularly on the Great Western Main Line.

39. Your Petitioner supports the case for the provision of rail infrastructure to enable an extension to Crossrail services to join the West Coast Mainline at a later date and therefore respectfully ask your honourable House to amend the Bill so as to include provision for the proposed spur, to be constructed as part of the Phase One HS2 works.

#### **Access Old Oak Common Station to Wormwood Scrubs**

40. The Station's north-south concourse is currently proposed to be a paid space. This would not allow for the through movement of people travelling from the north of the station to access Wormwood Scrubs to the south.
41. In your Petitioners' submission, the concourse should be widened so that a generous aisle can be provided allowing for north-south unpaid access through the concourse and enabling works should be provided to the south of the station to provide passive provision for a southern access to the station that could be opened once development proposals are brought forward for the North Pole depot and Intercity Express Programme IEP depot sites. Your Petitioner respectfully requests your honourable House to amend the Bill so that such provision is made as part of the main works authorised by the Bill. If your honourable House agrees with your Petitioner and requires that the Nominated Undertaker should facilitate access to the Scrubs from the north in the way proposed, the Nominated Undertaker should also, in your Petitioners' submission, be required in doing so to exercise due care and sensitivity to ensure the preservation of the area and prevent undue harm.

### **Part 2: General concerns**

#### **Provision of information and consultation**

42. Your Petitioner has serious concerns over the provision of information supplied by the promoter of the Bill, both prior to the deposit of the Bill and up to the date of the deposit of this petition. This has meant that thorough and detailed assessments of the proposed project, its impacts and benefits have been impossible to compile. In particular, your Petitioner is still to be satisfied about the adequacy of the Environmental Statement. Baseline assumptions made over a number of generic issues have still to be substantiated. Ancillary documentation such as the proposed Code of Construction Practice remains in a draft form which is neither acceptable in principle, nor in its presumptions, proposals and extent of detail.

#### **General**

43. There are other clauses and provisions in the Bill which, if passed into law as they now stand, will prejudicially affect the rights and interest of your Petitioner and other clauses and provisions necessary for their protection and benefit are omitted therefrom.



YOUR PETITIONER THEREFORE HUMBLY PRAYS your Honourable House that the Bill may not pass into law as it now stands and that they be heard by themselves, their Counsel, Agents and witnesses in support of the allegations of this petition, against so much of the Bill as affects the interests of your Petitioner and in support of such other clauses and amendments as may be necessary and proper for their protection and benefit.

AND YOUR PETITIONER WILL EVER PRAY &C.

For and on behalf of SIMON ASHCROFT

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PETITION

Of

SIMON ASHCROFT

AGAINST,

BY COUNSEL, &c.